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PTO/SB/05 (03-01)

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	7872-109-999	Total Pages	505
	First Named Inventor or Application Identifier			
	Bolognesi			
	Express Mail Label No.	EV335858058US		

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapters 600 concerning utility patent application contents.</i>	<b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Mail Stop PATENT APPLICATION</b> <b>Alexandria, VA 22313-1450</b>
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1. ☒ Fee Transmittal Form [Total Sheets 2+2]  
*(Submit an original, and a duplicate for fee processing)*
2. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 407]  
*(preferred arrangement set forth below, MPEP 1503.01)*  
 - Descriptive title of the Invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R&D  
 - Reference to Microfiche Appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (if filed)  
 - Detailed Description of the Invention (including drawings, if filed)  
 - Claim(s)  
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 63]
5. ☒ Oath or Declaration [Total Sheets 12]  
 a. ☐ Newly executed (original or copy)  
 b. ☒ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*  
 i. ☐ DELETION OF INVENTOR(S)
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*  
 a. ☒ Computer Readable Form (CRF) (ref. to prior appl'n)  
 b. ☒ Specification Sequence Listing on:  
 i. ☒ CD-ROM or CD-R (2 copies); or  
 ii. ☐ paper  
 c. ☒ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
*(when there is an assignee)* (copy)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment [Total Sheets 18]
14. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/484,223 filed June 7, 1995.

Prior application information:

Examiner:

Jeffrey Parkin

Group Art Unit:

1648

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number

20583

*Insert Customer No. or Attach bar code label here)*or ☐ Correspondence address below

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner Jeffrey ParkinArt Unit 1648

Commissioner for Patents  
P.O. Box 1450  
Mail Stop PATENT APPLICATION  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. **08/484,223** filed on **June 7, 1995**.

Dani Paul Bolognesi; Thomas James Matthews; Carl T. Wild; Shawn O'Lin Barney; Dennis Michael Lambert;  
of Stephen Robert Petteway; and Alphonse J. Langlois

(inventor(s) of record in prior application)

for **ISOLATED PEPTIDES DERIVED FROM HUMAN IMMUNODEFICIENCY VIRUS TYPES 1 AND 2  
CONTAINS FUSION INHIBITORY DOMAINS**

(title of invention)

1. ☒ The filing fee is calculated below based on the Preliminary Amendment concurrently submitted herewith:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	15	- 20	0	\$18.00 each	\$ 0.00
Independent	2	- 3	0	\$84.00 each	\$ 0.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee					
If Applicable (\$280.00)					\$ 0.00
<b>Total</b>					\$ 770.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
<b>Total Filing Fee</b>					\$ 770.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation, division, of application no. , filed .
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☒ Informal drawings are enclosed.

- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. § 119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Duke University and Trimeris, Inc. at Reel 9539, Frame 0272; Reel 7694, Frame 0389; Reel 7694, Frame 0378; and Reel 6786, Frame 0072.
- 7a. ☒ A copy of the Declaration and Power of Attorney filed in prior application no. **08/470,896**, filed **June 6, 1995** is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§ 1.821-1.825. It is requested that the **March 5, 2003** Sequence Listing in computer readable form from prior application no. **08/484,223**, filed on **June 7, 1995**, be made a part of the present application as provided for by 37 C.F.R. § 1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the Sequence Listing on two compact discs labeled "Copy 1" and "Copy 2" pursuant to 37 C.F.R. §§ 1.52(e) and 1.821(c) from application no. **08/484,223** is enclosed.
9. ☒ The undersigned states, under 37 C.F.R. § 1.821(f), that the content of the Sequence Listing on Copy 1 and Copy 2 is the same as the content of the computer readable form submitted in application no. **08/484,223**.
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instruction: Preliminary Amendment.

Date December 17, 2003

Respectfully submitted,  
By: Stephen K. Sullivan, Reg. No. 43,171  
Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)  
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